

December 16, 2005
Cesar Velazquez #10272-067
F.C.I. McKean
P.O. Box 8000
Bradford, PA 16701

Clerk of the Court
U.S. District Court
Middle District of Pennsylvania
P.O. Box 1148
Scranton, PA 18501


Re: Case No. 3:00-CR-290-01

Dear Court Clerk:

Enclosed please find a copy of my pro se Dodd Motion to be
filed with this court. Please acknowledge receipt of this motion.

Thank you for your time and kind assistance with this matter.

Sincerely,


Cesar Velazquez, pro se

FILED
SCRANTON

DEC 21 2005

PER 
DEPUTY CLERK

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

Cesar Velazquez,

Movant,

v.

Case No. 3:00-CR-290-01

United States,

Respondent. /

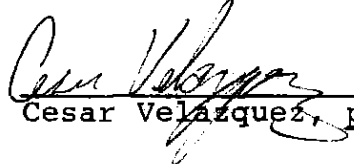
Dodd Motion

Comes now movant, Cesar Velazquez, pro se, and pursuant to the recent Supreme Court ruling in U.S. v. Dodd, 125 S.Ct. 2478 (2005), files the instant Dodd Motion for consideration.

The Dodd court held that the AEDPA's one-year limitation for filing a §2255 motion, grounded upon the claim that the Supreme Court has made a decision retroactive, is triggered on the date that such a decision is handed down; not on the date that the Court declares it to be retroactive.

Thus, in the interest of preserving his claim, Velazquez now gives notice that he is hereby raising a challenge to his unconstitutionally imposed guideline sentence, as contemplated by U.S. v. Booker, 125 S.Ct. 738 (2005).

Respectfully submitted,


Cesar Velazquez, pro se

CERTIFIED MAIL



Federal Correctional Institution McKean

Name: Cesar Velazquez

Reg #: 10272-067

P.O. Box 8000

Bradford, PA 16701

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"Legal Mail"

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